IN THE HIGH OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

WEDNESDAY, THE FIFTH DAY OF SEPTEMBER
TWO THOUSAND AND SSEVEN

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WRIT PETITION No.9794 of 2007

Between:

Vemsoor Primary Agril.Co-op. Credit Society Ltd.
Represented by its Secretary, NVV Subbaraju,
Vemsoor Post & Mandal, Khammam district. … Petitioner

Versus

The Employees Provident Fund Organization
Represented by its Assistant Provident Fund
Commisioner & O.I.C. Sub-Regional Office,
Balasamundram, Hanamkonda,
Warangal District & Anr. … Respondents

Counsel for the Petitioner: **M/s.LVS.Nagaraju**

Counsel for the Respondents: **Sri RN Reddy**

THE HONOURABLE SRI JUSTICE
P. S. NARAYANA

WP.NO.9794 of 2007

O R D E R

Heard both the counsel.

2. The writ petition is filed to declare the proceedings under Section 7-A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 for determination of dues for the period from 7/2004 to 10/2006 issued by the first respondent by order dated 26-12-2006 and the consequential proceedings no. AP/ SRO/WGL/ ENF/ 42445/ KHM/2006-07, dated 09-3-2007 as illegal, arbitrary and violative of the principles of natural justice and contrary to the provisions of AP, Co-operative Societies Act and Rules made thereunder and to pass such other suitable orders in the circumstances of the case.

3. It is stated by Sri R.N. Reddy, the learned standing counsel for the respondents that there is alternative efficacious remedy under section 7 {I} of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 to prefer an appeal against the proceedings dated 26-12-2006 passed by the first respondent under section 7-A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952.

4. Several details had been narrated in the affidavit filed in support of the writ petition, commencing from paras 2 to 9 of the affidavit filed in support of the writ petition.

5. Several contentions advanced and the merits and demerits of the matter need not be gone into in elaboration for the reason that there is no serious controversy between the parties, that there is alternative remedy of appeal.

6. In view of the same, liberty is given to the petitioner to pursue the alternative remedy of appeal, if the petitioner is so advised.

7. The writ petition is disposed of at the admission stage. No costs.

JUSTICE P . S. NARAYANA .

05 / 9 / 2007

-
-
-